

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 368

Introduced by Schimek, 27

Read first time January 13, 1999

Committee: Transportation

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 sections 60-682.01 and 60-6,188, Reissue Revised Statutes
3 of Nebraska; to change provisions relating to fines for
4 speeding in maintenance, repair, or construction zones;
5 and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-682.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 60-682.01. (1) Any person who operates a vehicle in
4 violation of any maximum speed limit established for any highway or
5 freeway is guilty of a traffic infraction and upon conviction shall
6 be fined:

7 (a) Ten dollars for traveling one to five miles per hour
8 over the authorized speed limit;

9 (b) Twenty-five dollars for six to ten miles per hour
10 over the authorized speed limit;

11 (c) Seventy-five dollars for traveling eleven to fifteen
12 miles per hour over the authorized speed limit;

13 (d) One hundred twenty-five dollars for traveling sixteen
14 to twenty miles per hour over the authorized speed limit; and

15 (e) Two hundred dollars for traveling twenty-one miles
16 per hour or more over the authorized speed limit.

17 (2) The fines prescribed in subsection (1) of this
18 section shall be doubled if the violation occurs within a
19 maintenance, repair, or construction zone established pursuant to
20 section 60-6,188 when maintenance, repair, or construction workers
21 are present. For purposes of this subsection, maintenance, repair,
22 or construction zone means (a) the portion of a highway identified
23 by posted or moving signs as being under maintenance, repair, or
24 construction or (b) the portion of a highway identified by
25 maintenance, repair, or construction zone speed limit signs
26 displayed pursuant to section 60-6,188. The maintenance, repair,
27 or construction zone starts at the location of the first sign
28 identifying the maintenance, repair, or construction zone and

1 continues until a posted or moving sign indicates that the
2 maintenance, repair, or construction zone has ended.

3 (3) The fines prescribed in subsection (1) of this
4 section shall be doubled if the violation occurs within a school
5 crossing zone as defined in section 60-658.01.

6 Sec. 2. Section 60-6,188, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-6,188. (1) The maximum speed limit through any
9 maintenance, repair, or construction zone on the state highway
10 system shall be thirty-five miles per hour in rural areas and
11 twenty-five miles per hour in urban areas.

12 (2) Such speed limits shall take effect only after
13 appropriate signs giving notice of the speed limit are erected or
14 displayed in a conspicuous place in advance of the area where the
15 maintenance, repair, or construction activity is or will be taking
16 place. Such signs shall conform to the manual and shall be
17 regulatory signs imposing a legal obligation and restriction on all
18 traffic proceeding into the maintenance, repair, or construction,
19 ~~or repair~~ zone. The signs may be displayed upon a fixed, variable,
20 or movable stand. While maintenance, repair, or construction, ~~or~~
21 ~~repair~~ is being performed, the signs may be mounted upon moving
22 Department of Roads vehicles displaying such signs well in advance
23 of the maintenance zone.

24 (3) The Director-State Engineer may increase the speed
25 limit through any highway maintenance, repair, or construction zone
26 in increments of five miles per hour if the speed set does not
27 exceed the maximum speed limits established in sections 60-6,186,
28 60-6,187, 60-6,189, 60-6,190, 60-6,305, and 60-6,313. The

1 Director-State Engineer may delegate the authority to raise speed
2 limits through any maintenance, repair, or construction zone to any
3 department employee in a supervisory capacity or may delegate such
4 authority to a county, municipal, or local engineer who has the
5 duty to maintain the state highway system in such jurisdiction if
6 the maintenance is performed on behalf of the department by
7 contract with the local authority. Such increased speed limit
8 through a maintenance, repair, or construction zone shall be
9 effective when the Director-State Engineer or any officer to whom
10 authority has been delegated gives a written order for such
11 increase and signs posting such speed limit are erected or
12 displayed.

13 (4) The Department of Roads shall post signs in
14 maintenance, repair, or construction zones which inform motorists
15 that the fine for exceeding the posted speed limit in such zones is
16 doubled when maintenance, repair, or construction workers are
17 present.

18 Sec. 3. Original sections 60-682.01 and 60-6,188,
19 Reissue Revised Statutes of Nebraska, are repealed.